

HULL AND SUN LUMBER CO. WIN IN APPELLATE CT. DECISIONS; SEVEN JUDGMENTS AFFIRMED

Judges Report In Nine Of
Fifteen Cases Heard
By Them

TWO REVERSALS IN
8 SNAPPY OPINIONS

Single Criminal Action, That
Of Worley; Other Items
From Court

Opinions in eight cases were handed down Saturday morning by Judges Chittenden, Kinkadee and Richards of the eighth appellate district of Ohio, who have been sitting here the past week in place of Judges Powell, Shields and Houck of the fourth district, and an entry has been ordered in a ninth case. Fifteen cases were heard in all.

In seven of the opinions, together with the entry, the judgment of the common pleas judge is sustained while in two, the cases in error of Robert S. Hull vs. George William Chisholm and the Sun Lumber Co. vs. George William Chisholm, the judgment of the common pleas judge is reversed. The judges concurred in all opinions.

A single opinion deals with the latter two cases. It was written by Judge Chittenden. It orders that the petition of the plaintiff be dismissed at his own costs and the titles to real estate of R. S. Hull and the lumber company be quieted. The real estate in question is located on East Gambler street.

This case has proved to be of unusual interest. It turned about the will of the late Sarah Hutchinson. Plaintiff averred that Alice V. Hutchinson took only a life estate in the property. Defendants maintained that she took a title in fee simple. The appellate court concurs in the latter claim, averring that Alice V. Hutchinson took a title in fee simple and that the defendants hold the property by a valid title.

THE ROBINSON CASE
Another case of exceptional interest was in the matter of the guardianship of Charity Ann Robinson. This is the fifteenth time this action has been heard and the litigation extends over a period of years. The appellate court, Judge Kinkadee writing the opinion, held that, because of the lack of a motion for a new trial in common pleas, the judgment of that court was sustained. The appellate body signified its willingness to have reversed the judgment as against the weight of the evidence, in failing to show that the ward was an imbecile, had such a motion been made.

FULTZ VS. BROUGHTON
Judge Richards wrote the opinion in the case of Mary E. Fultz and others vs. John T. Broughton. It is stated that plaintiffs sold defendant property in the city of Mt. Vernon for a cash consideration of \$1,750 and 100 shares of Augustine Rotary stock. Plaintiffs claimed misrepresentation on the part of defendant as to the value of the stock and sought to recover the sum of \$2,500. The court holds that an examination of the bill of exceptions fails to show that the judgment of common pleas court was not so manifestly against the weight of evidence to warrant reversal and accordingly affirms the same. "It is evident that there is a hopeless conflict as to what was said," reads the opinion, referring to the counter-claims of Broughton that he had not misrepresented the value of the stock.

MCGUGIN VS. DRAKE
The opinion in this case was written by Judge Chittenden, his associates concurring. The original suit was brought by McGugin to recover \$100 on a promissory note executed to him by the Drake Co. which later became a bankrupt. This claim was not listed in the bankruptcy proceedings and the action was brought after the company was discharged, it being the claim of McGugin that this discharge did not affect his claim because of the bankruptcy law of 1898. The court holds that plaintiff had knowledge of the bankruptcy proceedings and, accordingly, affirms the judgment of common pleas, which was against McGugin's claim.

COLE VS. ASHBAUGH, Trustee
The action here was originally brought by Ashbaugh to recover the

value of a horse and wagon sold by E. W. Kilkenny, Ashbaugh's bankrupt, to Robert L. Cole. Judge Kinkadee wrote the opinion which holds that the judgment of the common pleas jury in returning a verdict in favor of Ashbaugh is affirmed.

IN RE PURDY EXCEPTIONS
Judge Chittenden prepared the opinion in the exceptions to the account of Gladys P. Purdy, administratrix of her mother's estate. In common pleas, the first and sixth exceptions were sustained and the second and seventh overruled. Appellate court says this action was correct and affirms the judgment.

WORLEY CRIMINAL CASE
Holding that the trial judge was correct in withdrawing the testimony as incompetent, that Bert Claggett, prosecuting witness in the case of H. B. Worley, charged with shooting with intent to wound, was of a wild and vicious character, the appellate court affirms the judgment of common pleas court in ordering Worley committed to the state reformatory on the charge named above. This testimony was to the effect that Claggett had once threatened, referring to Columbus policemen, that he would "fix them."

BEATTY VS. HORSE CO.
In the case of A. J. Beatty vs. The New Castle Horse Co., an entry was made affirming the judgment of common pleas court. The appeal was taken in the matter of costs.

OPINIONS BRIEF AND SNAPPY
All of the opinions of the judges are of a very brief character and come to the point immediately. There is no involved discussion of legal points at issue. Judge Kinkadee left Saturday for Cleveland, Judge Chittenden for Toledo and Judge Richards for Clyde. They will sit in Cleveland next week.

The Israel Will
The will of Lavina Israel has been filed for probate. It was executed on January 2, 1917, in the presence of William McGlade and C. F. Colville.

To a grand-niece, Katherine Critchfield, is left personal effects; to trustees of Home for the Aged, \$100; to five nieces, Louisa Cook, Lizzie C. Critchfield, Nannie Porter, Sarah I. Dunkirk and Addie Arnold the sums of \$500 apiece; to Samuel H. Israel, a brother, various personal and household effects and all real estate on east side of North Main street on condition that he pay executors \$6,000.

The balance of the estate is given to two brothers, Samuel H. Israel and James Israel, the net income from which is to be paid quarterly to Katherine Critchfield, to whom estate shall descend, or, in event of her death, property is to go to the five nieces mentioned above.

Wants Administrator
An application has been filed by W. H. Jones for the administration of the estate of Melvin Toothman. Hearing, April 19 at 10 a. m.

The Vernon Estate
An inventory and appraisal has been filed by Luman Vernon, executor of Isaiah Vernon, showing: goods \$85, money \$1,374.38, securities \$155.09, real estate \$1,700, a total estate of \$3,314.47.

Appraisement Ordered
An appraisement has been ordered in the case of Joseph W. Robinson, trustee of James W. Robinson, vs. James F. Robinson.

Marriage License
Edward H. Kaufman, farmer, and Florence Ellen Henley, both of Jefferson township. Rev. J. W. Schmidt.

Deeds Filed
Mary Clowe to Clarence Harris, part lots 32 and 33, Bladensburg, \$250. Mary E. Buckingham to Clarence B. White, parcel in Mt. Vernon, \$1. Thomas Woodhall to Martha Stelts, lot 1, Rogers' addition to Mt. Vernon, \$1.

There is more Catarrh in this section of the country than all other diseases put together, and for years it was supposed to be incurable. Doctors prescribed local remedies, and by constantly failing to cure with local treatment, pronounced it incurable. Catarrh is a local disease, greatly influenced by constitutional conditions and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, Ohio, is a constitutional remedy, is taken internally and acts through the blood on the mucous surfaces of the system. One Hundred Dollars reward is offered for any case that Hall's Catarrh Cure fails to cure. Send for circulars and testimonials.

F. J. CHENEY & CO., Toledo, Ohio. Sold by Druggists, 75c. Hall's Family Pills for constipation.

Society News

Wellman-Thompson
Nuptials

The wedding of Mr. Corral Wellman of Akron and Miss Dorothy Thompson of Gambier was celebrated Saturday morning at 10:30 o'clock in the Church of the Holy Spirit, Gambier, the Rev. A. S. Winslow and Dr. D. F. Davies officiating. The couple was attended by Edward Thorn and Miss Ruth Thompson, a sister of the bride. The bridegroom is the son of Mrs. H. V. Wellman of Gambier and the bride is the daughter of J. B. Thompson of Gambier. The bridegroom is in the employ of the Goodrich Rubber company of Akron, and is a member of Mt. Zion lodge, No. 9, F. & A. M. of this city. Mr. and Mrs. Wellman went to Akron at noon Saturday. Following the wedding, a breakfast was served. The out-of-town guests at the ceremony were Mrs. Lyle of Hartford City, Ind., Earl Westervelt of Columbus and Mr. and Mrs. Arthur Thompson of Brinkhaven.

RECITAL

Of Miss Freeman And Mrs.
Thomas A Delight

Many Mt. Vernon Music Lovers Hear
Fine Program At Congrega-
tional Church

A large and appreciative audience greeted Miss Agnes Freeman, pianist, and Mrs. Edgar Thomas, contralto soloist, at their recital at the Congregational church Friday evening.

Miss Freeman and Mrs. Thomas are recent additions to the circle of Mt. Vernon's musicians but their finely rendered program showed plainly that they are not novices in recital work. Miss Freeman has an excellent technique and her artistic interpretation of her numbers, especially of the Chopin compositions, was very pleasing to all who heard her.

The deep, rich tones of Mrs. Thomas voice, together with her pleasing manner, make her singing always effective and those who came to hear her Friday night with high expectations were not disappointed.

The Social club, under whose auspices the recital was given, was gratified to see so many of Mt. Vernon's lovers of good music in attendance.

Miss Freeman rendered nine selections on the piano, while Mrs. Thomas sang nine solos.

PASTORATE

Of Big New York Church
For Rev. R. W. Sockman

Bishop Appoints Former Mt. Vernon
Boy To High Ecclesiastical
Position

The New York Methodist conference has just closed its annual session in New York City and the Rev. Ralph W. Sockman, son of Mr. and Mrs. R. P. Sockman of this city, has been appointed by the bishop to the pastorate of the Madison avenue church in New York. He succeeds Dr. Worth M. Tippy, a former pastor of the Epworth Memorial Methodist church in Cleveland. Mr. Sockman assumed charge of the church March 4, after being called by the official board, but the bishop did not make the appointment until this conference session.

MRS. ELLA W. SHAW

DIES OF CANCER AT HOME IN
DANVILLE

Danville, April 14—Mrs. Ella Watson Shaw, 62, died here Friday afternoon at 1:45 o'clock of cancer. She leaves a husband, Oscar Shaw, three brothers, H. L. Watson of Akron, H. E. Watson of Danville and Conrad Watson of Loudonville; three sisters, Mrs. Jennie Lough of Howard, Miss Frances Watson of Howard and Mrs. Katherine Hoppess of Akron. The funeral at 10:30 Monday morning at the late home. Interment in the Robinson cemetery.

FLAG RAISING
AT CENTERBURG
ATTRACTS MANY

Centerburg, Apr. 14—A large American flag was raised in the park square here yesterday afternoon and was attended by many people. The schools were dismissed. The Centerburg band played patriotic selections during the raising, after which Rev. H. H. Miller of Mt. Vernon delivered an inspiring address.

MAY 23 AND 24 ARE DATES OF THE FESTIVAL

Plans This Year Are Most
Elaborate In Its
History

NECESSITATE SALE
OF 700 ADMISSIONS

Artists Greatest Aggrega-
tion Ever Assembled In
This City

In response to many inquiries, President F. O. Levering of The Mt. Vernon Festival association has announced that the dates of this year's festival have been determined upon as Wednesday and Thursday evenings, May 23 and 24. He further says that, despite the high character of the association efforts in former years, he is confident that this year's program will exceed, both in musical effectiveness and character of the singers, anything that has been attempted by the local organization.

It is rather difficult to determine just who should be pronounced the star of this year's production, which will be the opera "Faust."

Arthur Middleton, the basso, is probably the best known. Formerly a Metropolitan opera artist, he has in recent years devoted the greater part of his time to the concert and oratorio stage, and is, perhaps, next to Evan Williams, the best-liked singer in concert today.

But if Mr. Middleton is the best known, Miss Myrna Sharlow is the artist who has possibly the greatest career before her. The biggest hit of the past Chicago grand opera season, a woman of unusual beauty and charm, with a wonderful voice, those who have heard her predict that in the next few years she will be numbered among the big sopranos of the world.

Another artist Mt. Vernon people will look forward to hearing with great interest is Mrs. Paul Althouse, who sings under the name of Zabetta Brenska, the wife of the star of last year's festival. If Mrs. Althouse's notices are to be believed, she will make a very deep impression on her hearers.

Mt. Vernon people will recall that it was a big question last year whether the association should continue another year. Once having decided that it should, the directors went ahead with the most elaborate plans they have ever attempted. And in a week or so, an effort will be made to determine whether this was justified. There will be a personal canvass on the part of a number of ladies to insure an audience of not less than 700. If this is accomplished, the financial success of the festival is assured.

Some indication of the reputation which attaches to the Mt. Vernon festival may be gathered from the fact that one of the big musical journals recently ran the picture of one of the artists who is to sing here in May with the line beneath "Engaged for the Mt. Vernon May Festival." So successful have been the performances in the past, and so high the standard of artistic excellence, that, apparently, the fact of being engaged by the local board is regarded as a feather in a musician's cap to be exploited as widely as possible.

MRS. MARTHA SLATE

EXPIRES IN DANVILLE AT THE
AGE OF 70

Danville, April 14—Mrs. Martha Slate died at the home of her son here this morning at 4 o'clock at the age of about 70 years. She leaves one daughter, who resides in the west, and five sons, Walter of Danville, Charles of Brinkhaven, James of Coshocton, Samuel Slate of Akron and one living in Tiffin.

Mr. and Mrs. James P. Lochary of East Vine street went to Quaker City Saturday for a visit with Mr. Lochary's sister.

Mrs. G. A. Miller of West Chestnut street, who has been at Mt. Carmel hospital, Columbus, for several days, underwent an operation Saturday morning.

Mrs. J. Levy and son, Adolph, of East Gambier street went to Columbus Saturday to spend the day.

SUNDAY'S SERMON A PATRIOTIC ONE

"We Are Unfurling Old Glory
For Cause of Justice."

WILL TAKE NO MONEY NOW

Blatant and Energetic Evangelist Announces That His Share Will Be Given to Red Cross and Y. M. C. A. Doing Work Among United States Soldiers—Some Descriptive Adjectives.

He stood—a tense, erect figure—stark in the electric lights beneath the great curving sounding board. One foot was on his chair. The other was on the top of the pulpit in front of him. His clinched hands were upraised, as though they grasped destruction. His voice was hoarse and excited, like a fighting terrier.

"German militarism is doomed!" Billy Sunday shouted in his great tabernacle in New York. "It is doomed, and the great guns of the United States are going to help dig its grave."

He whirled and leaped to the floor of the platform like a cat, picked up something from the carpet and jumped back to the uncertain footing of pulpit and chair with the same feline grace. But now he held something in his hands, something that murmured like distant thunder as he swung it back and forth with the old ball player's heave, something scarlet and silver and blue. It was the flag.

"We are unfurling it now for the cause of justice!" Sunday shouted, a tense grin in his sweat-streaked face. "It has never down for anything else."

Roar Hides Words.

And then a great roar swelled up, blotting out the words that followed. Twenty thousand men and women rose to their feet. Behind the lean black figure, still swinging the standard back and forth, two pianos crashed out "My Country, 'Tis of Thee." In a second the song had spread through the crowd. Every one was singing.

At the end of the verse Homer A. Rodeheaver, the suave, the easy of speech, held up his hand. "We will sing the 'Battle Hymn,'" Sunday's music director announced and picked up the trombone that has made him famous at a score of revivals.

"Mine eyes have seen the glory of the coming of the Lord."

The mighty marching song filled the tabernacle to the highest of the unvarnished rafters. Men coughed and blinked away tears and tried to go on. It was more of a prayer than a hymn. The last figure of Sunday continued to whirl the flag about his head until the last tremendous note had died away. Then he relaxed, leaped down to the floor and mopped his face.

"That's all," he said, with a weary grin.

That is the picture that the Rev. William A. Sunday stamped for all time upon the memories of 20,000 persons. That was the magnificent climax of the first day of the mightiest campaign that he has ever undertaken.

"God's Grenadier,"

"God's grenadier," he called himself—one of the Almighty's army who is set in the forefront of the battle to break the ranks of the foe for those that follow. But it was not as a bomb thrower that he went to New York.

It is not as a mercenary that Sunday, the fighter, has gone to New York. He has taken up the conflict in the greatest city of the nation for the love of the cause that he leads. Not one penny of the thousands that he will receive in his three months' service will ever find its way into his pockets.

All of the customary "gift offering" given upon the last day of his stay will go, after his employees have been paid, to the Red Cross and the Y. M. C. A.'s doing work among the United States soldiers. He will take nothing for the hardest work of his life.

This is the reply that "God's grenadier" gave to those who have sneered at him and have said, shrugging their shoulders, "Sunday is only in it for what he gets." This time Sunday is in it up to his strong, pugnacious chin, and as a volunteer. "I won't have that gang spit on me again and then try to rub it in!" he shouted.

Ten minutes after he had begun his first sermon he had trained all his batteries upon the forces of evil in New York city. He peppered them with a machine gun fire of adjectives—"vile, iniquitous, low down, groveling, worthless, damnable, rotten, hellish, corrupt, miserable," was only one salvo that he directed upon them.

He blasted the "weasel-eyed, butter and milk, white livered, whisky soaked gang" with shock after shock of invective and sarcasm. And with his attack he broke through the thin shell of reserve that New Yorkers had brought to the tabernacle. Ten minutes after the beginning of his sermon they were cheering with him. Before he finished they were yelling for him.

As usual, his hottest offensive was directed against "that worst crowd this side of the penitentiary; that black hearted gang of scoundrels—the liquor dealers." His attack upon them was the climax of his afternoon sermon.

"Come on, you blackguards!" he yelled. "Come on! I defy you!"

He fought an imaginary foe across the stage as hard and fast as ever 'lightweight' battered his way across a ring. His face was dripping and red when he halted, one foot and one hand raised, tense and quivering.

ROADSTER, \$545 PARTIN-PALMER TOURING CAR \$695
COMPLETELY EQUIPPED
These cars have been manufactured for 5 years by Commonwealth Motors Company, Chicago.
E. W. HUNTSBERGER, Distributor
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TIRES TIRES

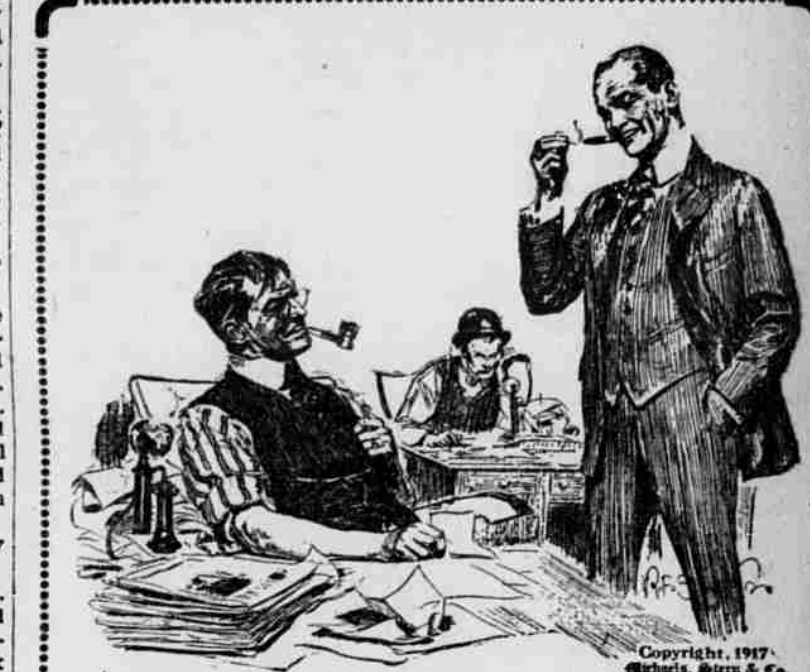


BILL BLINKS HE SAYS:
As gas goes up, you'll have to count
The cost of other things—and more
In tires and tubes, your bills will mount.
If you don't buy them at The Big Tire Store.

Miller Method Kelly Springfield
Mt. Vernon Tires and Tubes
Another shipment of nearly 200 seconds in next week

The BIG TIRE STORE

Corner Vine and Mulberry Streets
VULCANIZING AND REPAIRING by H. S. BAIR



When is a Suit Sold?

When you say—"I'll take that suit?"
No!

When you've had the suit home?
No!

Only when you're
satisfied with the
suit—and this is for
you to say.

That's our policy.

That's why it is so absolutely necessary for us to use
the greatest thought and care in selecting the
Clothing we sell—

All the new spring styles for Men
and Boys are here
WE WANT YOU TO SEE THEM

Milton S. Lewis
THE HOME OF GOOD CLOTHES